

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JOHN FRANCIS ARPINO,

Plaintiff,

v.

BRIAN SANDOVAL, et al.,

Defendant.

Case No. 3:14-cv-00409-MMD-WGC

ORDER ACCEPTING AND ADOPTING
REPORT AND RECOMMENDATION OF
MAGISTRATE JUDGE WILLIAM G. COBB

Before the Court is the Report and Recommendation of United States Magistrate Judge William G. Cobb (dkt. no. 5) ("R&R") relating to Plaintiff's filing characterized as "A Federal Criminal Complaint" (dkt. no. 1-1). Plaintiff filed his objection to the R&R on August 15, 2014 (dkt. no. 6).

This Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). Where a party timely objects to a magistrate judge's report and recommendation, then the court is required to "make a *de novo* determination of those portions of the [report and recommendation] to which objection is made." 28 U.S.C. § 636(b)(1). In light of Plaintiff's objection, the Court has engaged in a *de novo* review to determine whether to adopt Magistrate Judge Cobb's R&R.

The Magistrate Judge recommended dismissing this action with prejudice mainly because Plaintiff cannot initiate a criminal complaint. The Court agrees with the Magistrate Judge. Plaintiff in his objection contends that he seeks to file the criminal

1 complaint as "the relator" "in the name of and on behalf of the government or state."
2 However, no such private right exists for citizens to bring a criminal complaint on behalf
3 of the United States.

4 It is therefore ordered, adjudged and decreed that the Report and
5 Recommendation of Magistrate Judge William G. Cobb (dkt. no. 5) be accepted and
6 adopted in its entirety.

7 It is ordered this action is dismissed.

8 The Clerk is instructed to close this case.

9 DATED THIS 29th day of September 2014.

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12 MIRANDA M. DU
13 UNITED STATES DISTRICT JUDGE
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